

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION GULFPORT**

REPUBLICAN NATIONAL COMMITTEE;
MISSISSIPPI REPUBLICAN PARTY; JAMES
PERRY; and MATTHEW LAMB,

Plaintiffs,

v.

JUSTIN WETZEL, *in his official capacity as
the clerk and registrar of the Circuit Court of
Harrison County*; TONI JO DIAZ, BECKY
PAYNE, BARBARA KIMBALL, CHRISTENE
BRICE, and CAROLYN HANDLER, *in their
official capacities as members of the Harrison
County Election Commission*; and MICHAEL
WATSON, *in his official capacity as the
Secretary of State of Mississippi*,

Defendants.

No. 1:24-cv-00025-LG-RPM
(Lead Case)

**JOINT MOTION FOR
SCHEDULING ORDER**

LIBERTARIAN PARTY OF MISSISSIPPI,

Plaintiff,

v.

JUSTIN WETZEL, *in his official capacity as
the clerk and registrar of the Circuit Court of
Harrison County, et al.*,

Defendants.

No. 1:24-cv-00037-LG-RPM
(Consolidated Case)

Plaintiffs and Defendants in both the lead case and the consolidated case jointly move for the entry of a scheduling order to govern cross-motions for summary judgment in this case. This motion is made in an effort “to secure the just, speedy, and inexpensive determination” of this case and preserve the Court’s resources. Fed. R. Civ. P. 1.

On February 16, 2024, Defendant Michael Watson moved for exemptions from filing responses in both the lead case and the consolidated case “to accommodate the parties’

anticipated filing of early cross-motions for summary judgment.” Doc. 17 at 1 (lead case); Doc. 5 at 1 (consolidated case). The unopposed motions stated that both cases “implicate related questions of law capable of resolution by the Court.” Doc. 17 at 2 (lead case); Doc. 5 at 2 (consolidated case). The motions indicated that the parties in both cases will coordinate “to dispose of all claims in both cases via cross-motions for summary judgment to be separately filed in both actions.” *Id.*

The Court granted the motions “subject to further order of this Court regarding the prospective entry of a briefing schedule on the parties’ anticipated cross-motions for summary judgment.” Doc. 27 at 2 (lead case); Doc. 15 at 2 (consolidated case). A few days later, the Court granted a similar motion by the County Defendants. *See* Text Order Granting Doc. 33 (lead case) and Text Order Granting Doc. 16 (consolidated case). Certain intervenors in the lead case also filed a notice “to convey their willingness to abide by any briefing schedule this Court sets for the parties in this case.” Doc. 26 at 3 (lead case).

Plaintiffs and Defendants in the lead case and consolidated case thus propose the following summary judgment briefing schedule:

- March 26, 2024: cross-motions for summary judgment due
- April 9, 2024: oppositions due
- April 16, 2024: replies due

Given the purely legal claims at issue, the parties continue to believe that cross-motions for summary judgment are the most efficient route to resolving this case, and respectfully request that the Court enter a scheduling order establishing the briefing schedule proposed above. If this proposal resolves the Court’s scheduling concerns, the parties respectfully request that the Court adopt this schedule in lieu of holding an in-person scheduling conference. Regardless, pursuant to the Court’s Rule 16(a) Initial Pretrial Order to Confer, the parties will confer by March 13, 2024, and provide dates and times on which the parties are available for a scheduling conference. *See* Doc. 36.

Dated: March 5, 2024

Respectfully submitted,

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Kimball, Christene Brice, and Carolyn
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Election Commission*

CERTIFICATE OF SERVICE

Undersigned counsel hereby certifies that I have this date filed a copy of the above document with the Court's electronic filing system, which sent a notice to all counsel of record.

This the 5th day of March, 2024.

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